IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1303 OF 2006
IN
CRIMINAL APPEAL NO.131 OF 2006

Avinash Sevak Gharat ...Applicant
V/s.
The State of Maharashtra ...Respondent

Shri.S.V. Kotwal i/b M.S. Mohite for Applicant.
Shri.D.P. Adsule APP for the State.

CORAM : V.M. KANADE, J.
DATED : 22nd DECEMBER, 2006.

P.C. :-

1. Heard learned counsel for the applicant and learned APP for the State.

2. The applicant was convicted for the offences punishable U/s.304(II) r/w 149 IPC and sentenced to suffer R.I. for seven years and to pay a fine of Rs.1000/- and in default to suffer further R.I. for one month. He was also convicted for the offences punishable U/s.324 r/w 149 of IPC and sentenced to suffer R.I. for six months and to pay a fine of Rs.500/- and in default R.I. for fifteen days. He was also convicted for the offence punishable U/s.148 of IPC and sentenced to suffer R.I. for six months .

3. Learned counsel for the applicant submitted that the applicant is in jail since 2004 and he has already undergone two years and ten months in jail. He submitted that appeal is not likely to come up for hearing in the near future. He further submitted that applicant may be released on bail.

4. Learned APP for the State invited my attention to the order passed by this court dated 22nd February, 2006. By the said order the application for bail was rejected and liberty was granted to apply for bail again if appeal is not heard within a reasonable period of time. Since the applicant has undergone almost 50% of the sentence, in my view, this is a fit case to grant bail.

5. Under these circumstances, the applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in like amount. The applicant shall report to Manor Police Station once in a week.

. The application is accordingly disposed of in above terms.

V.M. KANADE, J.